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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------------|---------------------|------------------|
| 10/081,507 | 02/22/2002 | Mansukhbhai Ambabhai Jagani | SRS-001 (8773/1) | 9969 |

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EXAMINER

NOVOSAD, CHRISTOPHER J

ART UNIT PAPER NUMBER

3671

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,507

Applicant(s)

JAGANI, MANSUKHBHAI
AMBABHAI

Examiner

Christopher J. Novosad

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 9-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other:

DETAILED ACTION

Election/Restrictions

Applicant's election of Invention I, claims 1-8 and 18-20 (claims 18-20 being newly added) in Paper No. 7 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Accordingly, claims 9-17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyakoshi.

With respect to claim 1, Miyakoshi shows an agricultural system (col. 9, lines 46-49) comprising:

a motorcycle drive unit 10 (Fig. 2) and a tool assembly 460 (Figs. 13 and 14); said motorcycle drive unit 10 (Fig. 2) adapted for removable attachment to said tool assembly 460 (Figs. 13 and 14), wherein said agricultural system (col. 9, lines 46-49) is capable of farming (note col. 9, lines 46-49).

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As to claim 5, the tool assembly 460 (Figs. 13 and 14) further comprises a multi-purpose tool bar 1e, 1f, 1g for at least one of a cultivator, a seed drill, and a sprayer kit (note col. 9, lines 46-48).

Regarding claim 6, the tool assembly 460 (Figs. 13 and 14) further comprises a braking system (unnumbered; lever adjacent 22 in Fig. 1).

With respect to claim 7, the tool assembly 460 (Figs. 13 and 14) further comprises a lifting mechanism 473, 473a (Fig. 13; note col. 10, line 43 regarding "lift arms 473").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakoshi in view of Hebert.

With respect to claim 2, Miyakoshi shows a structural chassis 1 suitable for attachment to a farm implement (460 or note col. 9, lines 46-49).

As to claim 3, Miyakoshi shows a first wheel (unnumbered; Fig. 10) and a second wheel (unnumbered; Fig. 10).

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Regarding claim 4, Miyakoshi shows a transmission unit 12 (Fig. 3) comprising a differential gear box 16 (Fig. 3) disposed between the first and second wheels and adapted to be connected to the motorcycle drive unit 10.

With respect to claim 8, Miyakoshi shows an agricultural system (col. 9, lines 46-49) for farming comprising:

- a motorcycle drive unit 10 (Fig. 2) wherein the motorcycle drive unit 10 is adapted for removable attachment to a tool assembly 460 (Figs. 13 and 14); said tool assembly 460 (Figs. 13 and 14) comprising a structural chassis 1;

- a first wheel (unnumbered; Fig. 10);

- a second wheel (unnumbered; Fig. 10);

- a transmission unit 12 (Fig. 3) comprising a differential gear box 16 (Fig. 3) disposed between said first and second wheels;

- a multi-purpose tool bar 1e,1f,1g for at least one of a cultivator, a seed drill, and a sprayer kit (col. 9, lines 46-49) mounted on the structural chassis 1;

- a braking system (unnumbered; levers adjacent 22 in Fig. 1) indirectly connected to at least one of said first or second wheels; and

- a lifting mechanism 473,473a (Fig. 13); note col. 10, line 43 regarding “lift arms 473”.

While Miyakoshi implies that an axle is present for first and second wheels (unnumbered in Fig. 10), Miyakoshi fails to **explicitly** show an axle. Therefore, the claims distinguish over Miyakoshi in requiring the first and second wheels to be disposed at first and second ends, respectively of an axle.

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Hebert shows first and second wheels B^1 , unnumbered (Fig. 2) and B^3, B^1 (Fig. 5) at ends of an axle 12 (Fig. 2) or 23 (Fig. 5), respectively.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have disposed the wheels (unnumbered) in Fig. 10 of Miyakoshi at opposite ends of an axle as shown in Hebert for operational simplicity and greater structural integrity and greater stability than would be present if the wheel were to be mounted directly to the chassis 1.

Allowable Subject Matter

Claims 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Bobard, French reference '323, Spencer *et al.* '575 and Spencer *et al.* '205 show various devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Novosad whose telephone number is 703-308-2246. The examiner can normally be reached on Monday-Thursday 5:30am-4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached at 703-308-3870. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3597 for regular communications and 703-305-3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1020.



Christopher J. Novosad
Primary Examiner
Art Unit 3671

May 19, 2003